

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By Chairman Scott Mendenhall, on February 7, 2007  
at 8:00 A.M., in Room 172 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Jim Keane, Vice Chairman (D)  
Rep. Elsie Arntzen (R)  
Rep. Shannon Augare (D)  
Rep. Scott Boggio (R)  
Rep. Ernie Dutton (R)  
Rep. Kevin T. Furey (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Harry Klock (R)  
Rep. Michele Reinhart (D)  
Rep. Wayne Stahl (R)  
Rep. Bill Thomas (D)  
Rep. Kendall Van Dyk (D)

**Members Excused:** Rep. Mike Milburn, Vice Chairman (R)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Bart Campbell, Legislative Branch  
Nancy Kraft, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 530, 2/2/2007; HB 538, 2/2/2007;  
HB 542, 2/2/2007  
Executive Action: HB 58; HB 299; HB 325; HB 471; HB  
482

**HEARING ON HB 542**

**Opening Statement by Sponsor:**

00:02:43 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 542, Authorize insurance commissioner to adopt rules protecting military persons.

Hearing postponed to a later date at request of sponsor.

**HEARING ON HB 530**

**Opening Statement by Sponsor:**

00:04:52 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 530, Require paid rest breaks for certain employees.

**Proponents' Testimony:**

00:07:53 Don Judge, Teamsters' Local 190  
00:10:52 Jason Miller, Montana State AFL-CIO  
00:11:51 Andrea Olsen, Montana Trial Lawyers' Association

**Opponents' Testimony:**

00:12:22 Jon Bennion, Montana Chamber of Commerce  
00:14:35 Riley Johnson, National Federation of Independent Businesses  
00:15:38 Jason Todhunter, Montana Logging Association  
00:16:51 Tom England  
00:18:57 Margaret Morgan, Greater Montana Independent Electrical Contractors  
00:20:41 Bruce Spencer, Montana Automobile Dealers' Association  
00:23:28 Carl Schweitzer, Kalispell and Bozeman Chambers of Commerce

**Informational Testimony:**

00:24:44 Court Jensen  
00:25:08 Jerry Keck, Department of Labor and Industry

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:25:48 Rep. Peterson

**HEARING ON HB 538**

**Opening Statement by Sponsor:**

00:31:08 Rep. Dan Villa (D), HD 86, opened the hearing on HB 538, Home loan protection.

**Proponents' Testimony:**

00:35:49 Court Jensen, Department of Justice

**Opponents' Testimony:**

01:01:51 Jerry Loendorf, Montana Consumer Finance Association

**Informational Testimony:**

00:37:03 Kris Leitheiser, Banking and Financial Institutions, Department of Administration

**Questions from Committee Members and Responses:**

00:37:36 Rep. Mendenhall  
00:38:00 Mr. Jensen  
00:38:44 Rep. Mendenhall  
00:40:38 Ms. Leitheiser  
00:41:02 Rep. Dutton  
00:47:37 Ms. Leitheiser  
00:49:07 Rep. Heinert  
00:49:28 Ms. Leitheiser  
00:50:41 Rep. Reinhart  
00:54:26 Mr. Jensen  
00:55:54 Rep. Dutton  
00:57:26 Mr. Jensen  
01:00:25 Rep. Reinhart  
01:00:38 Rep. Villa  
01:24:18 Rep. Furey  
01:24:48 Mr. Loendorf  
01:25:27 Rep. Reinhart  
01:25:52 Ms. Leitheiser  
01:27:01 Rep. Mendenhall  
01:27:23 Ms. Leitheiser 01:28:26 Rep. Dutton  
01:28:53 Ms. Leitheiser

**Closing by Sponsor:**

01:29:56 Rep. Villa

**EXHIBIT (buh27a01)**

01:34:22 Break

**EXECUTIVE ACTION ON HB 58**

01:59:22 **Motion:** Rep. Keane moved that HB 58 **DO PASS.**

02:00:06 **Motion/Vote:** Rep. Keane moved that HB 58 **BE AMENDED.**  
Motion carried unanimously by voice vote. Reps.  
Milburn, Windy Boy, Jones, and Augare voted by proxy.

**EXHIBIT** (buh27a02)

02:02:45 **Motion:** Rep. Keane moved that HB 58 **DO PASS AS**  
**AMENDED.**

**Discussion:**

02:03:08 Rep. Dutton

02:05:49 Rep. Keane

02:06:18 Rep. Mendenhall

02:07:42 **Vote:** Motion carried 11-5 by roll call vote with Reps.  
Boggio, Dutton, Mendenhall, Milburn, and Stahl voting  
no. Reps. Milburn, Windy Boy, Jones, and Augare voted  
by proxy.

**EXECUTIVE ACTION ON HB 299**

02:09:13 **Motion:** Rep. Arntzen moved that HB 299 **DO PASS.**

02:10:29 **Motion:** Rep. Stahl moved that HB 299 **BE AMENDED.**  
Motion carried unanimously by voice vote. Reps.  
Milburn, Windy Boy, Jones, and Augare voted by proxy.

**EXHIBIT** (buh27a03)

02:11:46 **Motion:** Rep. Stahl moved that HB 299 **DO PASS AS**  
**AMENDED.**

**Discussion:**

02:12:18 Mr. Campbell

02:12:47 Rep. Furey

02:13:01 Peter Bovingdon, Ski Areas' Association

02:14:10 Without objection Rep. Stahl withdrew his motion on HB  
299.

02:15:38 Without objection, the Committee suspended further  
action on HB 299 to obtain additional amendments.

**EXECUTIVE ACTION ON HB 325**

02:16:17 **Motion:** Rep. Dutton moved that HB 325 **DO PASS.**

02:16:40 **Motion:** Rep. Dutton moved that HB 325 **BE AMENDED.**

**EXHIBIT** (buh27a04)

**Discussion:**

02:17:05 Bart Campbell  
02:18:22 Rep. Dutton  
02:20:49 Rep. Arntzen  
02:21:07 Rep. Dutton

02:22:45 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:23:15 **Motion:** Rep. Dutton moved that HB 325 **DO PASS AS AMENDED.**

**Discussion:**

02:23:29 Rep. Dutton  
02:24:35 Rep. Furey  
02:25:19 Rep. Augare  
02:26:05 Rep. Klock  
02:26:27 Rep. Dutton

02:27:55 **Vote:** Motion failed 6-10 by roll call vote with Reps. Boggio, Dutton, Heinert, Mendenhall, Milburn, and Van Dyk voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:27:59 **Substitute Motion/Vote:** Rep. Stahl made a substitute motion that HB 325 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

**EXECUTIVE ACTION ON HB 299 CONTINUED**

02:28:38 **Motion:** Rep. Stahl moved that HB 299 **DO PASS.**

02:29:53 **Motion:** Rep. Stahl moved that HB 299 **BE AMENDED.**

**EXHIBIT** (buh27a05)

**Discussion:**

02:30:00 Mr. Bovington  
02:41:38 Rep. Furey  
02:42:19 Mr. Bovington  
02:43:34 Rep. Mendenhall  
02:43:43 Mr. Bovington

02:43:48 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:44:22 **Motion:** Rep. Stahl moved that HB 299 **DO PASS AS AMENDED.**

**Discussion:**

02:44:35 Rep. Keane

02:45:12 Rep. Furey

02:46:14 **Vote:** Motion carried 12-4 by roll call vote with Reps. Augare, Keane, Van Dyk, and Windy Boy voting no. Reps. Milburn, Windy Boy, and Jones voted by proxy.

**EXECUTIVE ACTION ON HB 471**

02:48:51 **Motion:** Rep. Keane moved that HB 471 **DO PASS.**

02:49:01 **Motion:** Rep. Keane moved that HB 471 **BE AMENDED.**

**EXHIBIT** (buh27a06)

**Discussion:**

02:49:22 Bart Campbell

02:50:28 Rep. Mendenhall

02:51:00 Rep. Furey

02:51:47 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:52:16 **Motion:** Rep. Keane moved that HB 471 **DO PASS AS AMENDED.**

**Discussion:**

02:52:32 Rep. Stahl

02:53:24 Rep. Keane

02:54:31 Rep. Thomas

02:56:21 **Vote:** Motion failed 3-13 by voice vote with Reps. Augare, Reinhart, and Windy Boy voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:57:06 **Substitute Motion/Vote:** Rep. Stahl made a substitute motion that HB 471 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

**EXECUTIVE ACTION ON HB 482**

02:57:55 **Motion:** Rep. Keane moved that HB 482 **DO PASS.**

02:58:10 **Motion:** Rep. Keane moved that HB 482 **BE AMENDED.**

**EXHIBIT** (buh27a07)

**Discussion:**

02:58:26 Bart Campbell  
02:58:53 Rep. Dutton  
02:59:17 Mr. Campbell  
03:00:27 Rep. Dutton

03:00:38 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

**Discussion:**

03:01:02 Rep. Keane

03:01:20 **Motion:** Rep. Keane moved that HB 482 **DO PASS AS AMENDED.**

**Discussion:**

03:01:34 Rep. Keane  
03:02:58 Rep. Furey  
03:03:50 Rep. Reinhart  
03:05:55 Rep. Mendenhall  
03:08:14 Rep. Dutton  
03:09:28 Rep. Keane  
03:11:19 Rep. Furey

03:11:33 **Vote:** Motion failed 5-11 by roll call vote with Reps. Augare, Dutton, Reinhart, Van Dyk, and Windy Boy voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.

03:12:43 **Substitute Motion/Vote:** Rep. Keane made a substitute motion that HB 482 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

**Additional Exhibits:**

Document pertaining to HB 299: Final Amendment approved by Committee 2/7/2007

**EXHIBIT**(buh27a08)

**ADJOURNMENT**

03:13:05 Adjournment: 11:25 A.M.

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REP. SCOTT MENDENHALL, Chairman

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NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

**EXHIBIT ([buh27aad.pdf](#))**